

AN ACT

relating to the applicability to open-enrollment charter schools of certain laws regarding local governments and political subdivisions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 12, Education Code, is amended by adding Section 12.1058 to read as follows:

Sec. 12.1058. APPLICABILITY OF OTHER LAWS. (a) An open-enrollment charter school is considered to be:

(1) a local government for purposes of Chapter 791, Government Code;

(2) a local government for purposes of Chapter 2259, Government Code, except that an open-enrollment charter school may not issue public securities as provided by Section 2259.031(b), Government Code;

(3) a political subdivision for purposes of Chapter 172, Local Government Code; and

(4) a local governmental entity for purposes of Subchapter I, Chapter 271, Local Government Code.

(b) An open-enrollment charter school may elect to extend workers' compensation benefits to employees of the school through any method available to a political subdivision under Chapter 504, Labor Code. An open-enrollment charter school that elects to extend workers' compensation benefits as permitted under this

1 subsection is considered to be a political subdivision for all
2 purposes under Chapter 504, Labor Code. An open-enrollment charter
3 school that self-insures either individually or collectively under
4 Chapter 504, Labor Code, is considered to be an insurance carrier
5 for purposes of Subtitle A, Title 5, Labor Code.

6 (c) Notwithstanding Subsection (a) or (b), an
7 open-enrollment charter school operated by a tax exempt entity as
8 described by Section 12.101(a)(3) is not considered to be a
9 political subdivision, local government, or local governmental
10 entity unless the applicable statute specifically states that the
11 statute applies to an open-enrollment charter school.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 1170 was passed by the House on May 8, 2015, by the following vote: Yeas 138, Nays 1, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1170 on May 29, 2015, by the following vote: Yeas 140, Nays 2, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1170 was passed by the Senate, with amendments, on May 27, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor